

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 22, 1992  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 2:09 p.m. Deputy Mayor Roberts recessed the meeting at 2:10 p.m. to meet in Closed Session in the 12th floor conference room to discuss potential litigation. Deputy Mayor Roberts reconvened the meeting at 2:18 p.m. with Council Members Stevens, Filner, and Mayor O'Connor not present. Mayor O'Connor adjourned the meeting at 6:19 p.m. to meet in Closed Session on Tuesday, June 23, 1992, at 9:30 a.m., in the 12th floor conference room to discuss pending and potential litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-not present  
Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor O'Connor-not present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-not present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Rich Giddens, Horizon  
Christian Fellowship.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Hartley.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Comments by Robert Hoffman regarding traffic engineering.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A154-161.)

ITEM-PC-2:

Comments by Don Stillwell regarding statistics on debt vs.  
population, and the Federal Reserve.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A162-168.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

6/1/92

6/2/92 Adjourned

6/1/92 Adjourned to 6/3/92

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A169-179.)

MOTION BY McCARTY TO APPROVE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

\* ITEM-50: (O-92-95) ADOPTED AS ORDINANCE O-17784 (New Series)

Amending Chapter II, Article 2, Division 17, of the San Diego Municipal Code, by adding Section 22.1707, relating to City Treasurer Authorization to Charge Collection Fees.

(Introduced on 6/8/92. Council voted 7-0. District 8 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A504-B007.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-51:

Two actions relative to Single Housekeeping Unit and One-Family Dwelling Rental Regulations:

Subitem-A: (O-92-82 Rev. 1) ADOPTED AS ORDINANCE O-17785  
(New Series)

Amending Section 101.0101.20 and adding Section 101.0101.76.1 of the San Diego Municipal Code, relating to "Family" and "Single Housekeeping Unit."  
(Introduced on 6/8/92. Council voted 5-2. Districts 2, and 5 voted nay. District 8 and Mayor not present.)

Subitem-B: (O-92-151 Rev.1) ADOPTED AS ORDINANCE O-17786  
(New Series)

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, June 22, 1992**

**Page 4**

Amending the San Diego Municipal Code by amending Sections 101.0407 and 101.0463 relating to One-Family Dwelling Rental Regulations.  
(Introduced as amended on 6/8/92. Council voted 7-0. District 8 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A504-B007.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea (nay on Subitem-A), Hartley-yea, Stevens-yea, Behr-yea (nay on Subitem-A), Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-100: (R-92-1577) ADOPTED AS RESOLUTION R-280152

Inviting bids for Sidewalk and Curb Replacement on Various City Streets - FY 92 - (C-8); authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$300,000 from Gas Tax Fund 302191 for providing funds for said project and related costs.  
(BID-K3221/92) (City-wide.)

CITY MANAGER SUPPORTING INFORMATION: Beginning in FY 90, an accelerated sidewalk replacement program was undertaken using contractual labor. The FY 90 program which utilized \$400,000 and two contracts reduced the backlog from a 1,800 job backlog to a 1,434 job backlog. Continuing in FY 91, three contracts totaling \$600,000 were initiated, which reduced the backlog to 1,057 jobs. During FY 92, 753 jobs were added to our job backlog which increased the backlog to 1,810 jobs. The FY 92 program calls for the use of \$700,000 in three contracts and is expected to result in a FY 92 year end of 900 jobs.

This action, which is the third of the three FY 92 contracts, proposes the expenditure of \$300,000 and the completion of approximately 300 jobs towards the FY 92 program goal.  
Aud. Cert. 9200958.

FILE LOCATION: CONT - The Bradick Companies, Inc. CONT  
FY92-1

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-101: (R-92-1848) ADOPTED AS RESOLUTION R-280153

Authorizing the Purchasing Agent to solicit bids and  
award contracts for demolition of structures, as may be  
required for a period of one year beginning July 1,  
1992 through June 30, 1993.  
(BID-F3060/92)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-102: (R-92-1834) ADOPTED AS RESOLUTION R-280154

Approving Parcel Map W.O. 900511, located southeasterly  
of Skyline Drive and Woodman Street.  
(Skyline Community Area. District-4.)

NOTE: See Item 103 for a companion item.

FILE LOCATION: Subdivision - Lot 94 and portions of lots 61,  
62, 79, 95, 96, 141, and 161 and a portion of  
Henrietta Drive

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-103: (R-92-1957) ADOPTED AS RESOLUTION R-280155

Authorizing the sale by negotiation of Lots 61, 62, 79 and 94 of Encima De San Diego, Addition No. 1 and Henrietta Drive, as closed and vacated to public use, Map 1546 (also known as Sites 412 and 413) to Vastine R. Haynie and Opal C. Haynie for the amount of \$13,450; authorizing the execution of a grant deed, granting to Vastine R. Haynie and Opal C. Haynie Sites 412 and 413; declaring that no broker's commission shall be paid on the negotiated sale.  
(Skyline Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On November 16, 1987, the City Council directed the City Manager to exclusively negotiate the sale of Sites 412 and 413 with the adjacent owner for incorporation into their single-family residential subdivision. The subject parcels, consisting of 6,323 square feet and 3,555 square feet respectively, contribute area for meeting the minimum lot dimensions required for a four-lot single-family residential subdivision. Therefore, the sale of these parcels is a requirement of the parcel map. The project is consistent with the South Bay Terraces Community Plan, which shows low-density residential use for this area. The subject parcels have no access rights to Skyline Drive and, therefore, no access to a dedicated street. Consequently, the sites cannot be independently developed. An appraisal for the subject property has been completed. The appraised value for both sites is \$13,450. This sale is conditioned upon the filing of the Parcel Map.

NOTE: See Item 102 for a companion item.

FILE LOCATION: DEED F-5843 DEED FY92-1

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-104:

Two actions relative to the Downtown Maintenance  
District:  
(See City Manager Report CMR-92-196. Centre City  
Community Area. Districts-2,3 and 8.)

Subitem-A: (R-92-1979) ADOPTED AS RESOLUTION R-280156

Resolution of Intention to annex territory to the  
district and to levy and collect assessments.

Subitem-B: (R-92-1980) ADOPTED AS RESOLUTION R-280157

Approving the City Engineer's Report.

FILE LOCATION: STRT M-272

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-105:

Two actions relative to the La Jolla Village Drive  
Landscape Maintenance District:  
(University Community Area. District-1.)

Subitem-A: (R-92-1976) ADOPTED AS RESOLUTION R-280158

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-92-1977) ADOPTED AS RESOLUTION R-280159

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing  
establishes the annual assessments for the La Jolla Village Drive  
Landscape Maintenance District. The district provides  
maintenance of the landscaped medians along La Jolla Village  
Drive between I-5 and Regents Road. In Fiscal Year 1993, the  
district will take over the maintenance of the existing

landscaping improvements. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$20,000
Personnel	4,906
Utilities	2,700
Incidentals	12,123*
Total Expenses	\$39,729
Reserve	3,814
Total	\$43,543
Less Carry-over & Interest	0
Less City Contribution	695
Assessed to District	\$42,848

\* Includes Assessment District Management Fee of \$2,415.

The proposed assessment for Fiscal Year 1993 is approximately \$19 per dwelling unit. Fiscal Year 1993 is the first year assessments are being levied for this district.

FILE LOCATION: STRT M-265

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-106:

Two actions relative to the Linda Vista Road Landscape Maintenance District:  
(Linda Vista Community Area. Districts-5 and 6.)

Subitem-A: (R-92-1985) ADOPTED AS RESOLUTION R-280160

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-92-1986) ADOPTED AS RESOLUTION R-280161

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Linda Vista Road Landscape Maintenance District. The district provides



maintenance of landscape medians and street-scapes within the district boundaries. In Fiscal Year 1993, the district will take over the maintenance of the existing landscaping improvements within the area designated as Phase I. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$25,000
Personnel	12,263
Utilities	12,750
Incidentals	23,023*
Total Expenses	\$73,036
Reserve	20,116
Total	\$93,152
Less Carry-over & Interest	0
Less City Contribution	1,528
Assessed to District	\$91,624

\* Includes Assessment District Management Fee of \$4,460.

The proposed assessment for Fiscal Year 1993 is approximately \$12.41 per dwelling unit for properties within Phase I area of the district. Fiscal Year 1993 is the first year assessments are being levied for this district.

FILE LOCATION: STRT M-266

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-107:

Two actions relative to the Lopez Canyon Stormwater Retention Basin Maintenance District:  
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-92-1991) ADOPTED AS RESOLUTION R-280162

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-92-1992) ADOPTED AS RESOLUTION R-280163

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Lopez Canyon Stormwater Retention Basin Maintenance District. The district provides maintenance for the stormwater retention basin and the related structures.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$1,500
Personnel	0
Utilities	0
Incidentals	\$1,500
Total Expenses	\$3,000
Reserve	3,005
Total	\$6,005
Less Carry-over & Interest	6,005
Less City Contribution	0
Assessed to District	\$ 0

The carry-over amount from the previous year and the projected interest is \$6,005. The proposed expenditure to maintain the district including incidental expenses for Fiscal Year 1993 is \$3,000.

The balance remaining in the district account (\$6,005) in Fiscal Year 1993 is sufficient to provide a continuing major maintenance reserve. Consequently, no assessments to the district are proposed for Fiscal Year 1993. The amount assessed to the district in Fiscal Year 1992 was also zero.

FILE LOCATION: STRT M-267

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-108: CONTINUED TO JUNE 29, 1992

Two actions relative to the Mission Boulevard Landscape Maintenance District:  
(Mission Beach Community Area. District-2.)

Subitem-A: (R-92-1994)

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-92-1995)

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Mission Boulevard Landscape Maintenance District. The district provides for the maintenance of approximately 200 trees and planter boxes along Mission Boulevard from San Diego Place to Pacific Beach Drive.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$18,653
Personnel	21,210
Utilities	0
Incidentals	13,076
Total Expenses	\$52,939
Reserve	14,078
Total	\$67,017
Less Carry-over & Interest	20,769
Less City Contribution	0
Assessed to District	\$46,248

The annual assessment for Fiscal Year 1993 will be \$12.30 per dwelling unit, compared to \$11.71 for Fiscal Year 1992.

FILE LOCATION: STRT M-268

COUNCIL ACTION: (Tape location: B018-060.)

MOTION BY ROBERTS TO CONTINUE ONE WEEK TO FURTHER REVIEW FOR COST REDUCTION. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-109:

Two actions relative to the Newport Avenue Landscape Maintenance District:  
(Ocean Beach Community Area. District-2.)

Subitem-A: (R-92-1973) ADOPTED AS RESOLUTION R-280164

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-92-1974) ADOPTED AS RESOLUTION R-280165

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Newport Avenue Landscape Maintenance District. The district provides maintenance to sidewalk landscaping, decorative sidewalk and planters.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$14,250
Personnel	7,358
Utilities	1,000
Incidentals	8,101*
Total Expenses	\$30,709
Reserve	2,745
Total	\$33,454
Less Carry-over & Interest	7,300
Less City Contribution	0
Assessed to District	\$26,154

\* Includes Assessment District Management Fee of \$1,876.

The proposed unit assessment for Fiscal Year 1993 is \$7.63 per frontage foot as compared to \$7.40 for Fiscal Year 1992.

FILE LOCATION: STRT M-269

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-110:

Two actions relative to the Park Village Landscape  
Maintenance District:  
(Rancho Penasquitos Community Area. District-1.)



Subitem-A: (R-92-1982) ADOPTED AS RESOLUTION R-280166

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-92-1983) ADOPTED AS RESOLUTION R-280167

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the assessments for the maintenance of landscaped medians and slopes in the Park Village Landscape Maintenance District for Fiscal Year 1993.

The developer of the subdivision will continue to provide all necessary maintenance for any newly landscaped areas until they are turned over to and accepted by the district. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 85,000
Personnel	17,171
Utilities	16,450
Incidentals	23,201*
Total Expenses	\$141,822
Reserve	35,912
Total	\$177,734
Less Carry-over & Interest	54,000
Less City Contribution	6,729
Assessed to District	\$117,005

\*Includes Assessment District Management Fee of \$8,659.

Assessments for Fiscal Year 1993 will be approximately \$38.11 per dwelling unit compared to \$34.82 for Fiscal Year 1992. The increase is due to approximately 23 acres of additional landscaping to be maintained by the district in FY '93.

FILE LOCATION: STRT M-270

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-111:

Two actions relative to the Scripps-Miramar Ranch  
Landscape Maintenance District:  
(Scripps-Miramar Ranch Community Area. District-5.)

Subitem-A: (R-92-1988) ADOPTED AS RESOLUTION R-280168

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-92-1989) ADOPTED AS RESOLUTION R-280169

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing  
establishes the annual assessments for the Scripps-Miramar Ranch  
Landscape Maintenance District. The district provides landscape  
maintenance for open space and medians. The Fiscal Year 1993  
proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$204,000
Personnel	49,058
Utilities	46,000
Incidentals	48,771*
Total Expenses	\$347,829
Reserve	43,398
Total	\$391,227
Less Carry-over & Interest	139,517
Less City Contribution	11,412
Assessed to District	\$240,298

\*Includes Assessment District Management Fee of \$21,237.

The proposed unit assessment for Fiscal Year 1993 is \$41.20. The  
assessment amount for Fiscal Year 1992 was \$32.23. The increase  
in assessments is due to additional tree service, reed removal at  
Hendrix Pond, and other special projects requested by the  
community.

FILE LOCATION: STRT M-271

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-112: (R-92-1950) ADOPTED AS RESOLUTION R-280170

Authorizing the execution of an easement deed conveying to San Diego Gas & Electric Company, an easement for electrical service over a portion of Lot 3D Eastgate Technology Park Phase I.

(Located on the north side of Towne Centre Court, westerly of Towne Centre Drive. University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Lot 3 of ETP is about to be re-subdivided into four lots being Lots 3A, 3B, 3C and 3D. SDG&E has been requested to install two 7 feet by 7 feet handhole boxes adjacent to Lot 3D, northerly of Towne Centre Court, for access to fuse cabinets. The easement has been reviewed and approved by the City Engineer.

FILE LOCATION: DEED F-5844 DEED FY92-1

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-113: (R-92-1841) ADOPTED AS RESOLUTION R-280171

Dedicating portions of Fractional Lots 41 through 48, in Block 68 of E.W. Morse's Subdivision of Pueblo Lot 1150 and a portion of the Northwest Quarter of Pueblo Lot 1151 for a public street and naming the same 29th Street.

(Grant Hill Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego has accepted a small parcel of land in the Southeast San Diego community, as a donation from the estate of Della A. Kipp. The donation of the subject parcel of land was accepted as a dedication of street right-of-way to be named 29th Street. This action will dedicate this donated land for public street purposes and name it 29th Street.

FILE LOCATION: DEED F-5845 DEED FY92-1

COUNCIL ACTION: (Tape location: B018-060.)



CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-114: (R-92-2045) ADOPTED AS RESOLUTION R-280172

Excusing Mayor Maureen O'Connor from attending the  
regularly scheduled City Council meeting of June 8,  
1992, due to official business out of the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-115: (R-92-1970) ADOPTED AS RESOLUTION R-280173

Excusing Councilmember McCarty from attending the  
Council meeting of Tuesday, May 5, 1992 - AM session  
for the purpose of testifying before the State's Public  
Safety Committee representing the City on Assembly Bill  
2580 - Vehicle Seizure.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-116: (R-92-2012) ADOPTED AS RESOLUTION R-280174

Directing all local agencies which have adopted  
Conflict of Interest Codes, to review all existing  
Codes and, on or before October 1, 1992, either submit  
an amended Code to the City Council for approval or

submit a report to the City Council stating that no amendment is necessary.

CITY CLERK SUPPORTING INFORMATION: In 1990, the State legislature added Government Code Section 87306.5 to the Political Reform Act. This section requires that the San Diego City Council, as the code reviewing body, on or before July 1 of every even-numbered year, direct all departments and agencies to review their respective conflict of interest codes and either amend the code or provide a written report to Council that no amendment is necessary. The amended code or report must be submitted by October 1. The Office of the City Clerk, along with the City Attorney's office, is now working with the various City departments and agencies in updating their Conflict of Interest Codes. All amended codes will be brought back to Council for approval by the October 1 deadline.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-117:

Nine actions relative to authorizing Suggestion Awards to the following City employees:

Subitem-A: (R-92-1905) ADOPTED AS RESOLUTION R-280175

Harold Mullins - General Services Communications and  
Electrical - \$25

Subitem-B: (R-92-1906) ADOPTED AS RESOLUTION R-280176

Sharon Lee Jeffers - City Attorney/Criminal - \$25

Subitem-C: (R-92-1907) ADOPTED AS RESOLUTION R-280177

Michael Merriken - Fire - \$50

Subitem-D: (R-92-1908) ADOPTED AS RESOLUTION R-280178

Sandra Simmons - Engineering & Development/TDM - \$90

Subitem-E: (R-92-1909) ADOPTED AS RESOLUTION R-280179

Diana L. Muzquiz - Treasurer/Collections - \$90

Subitem-F: (R-92-1910) ADOPTED AS RESOLUTION R-280180

Leon Crowder

Richard Long

Raul Sandoval - Waste Management/Litter Control - \$500  
shared equally

Subitem-G: (R-92-1911) ADOPTED AS RESOLUTION R-280181

George A. Head - Police/Video - \$330

Subitem-H: (R-92-1912) ADOPTED AS RESOLUTION R-280182

Douglas Murphy - Clerk/Records - \$330.50

Subitem-I: (R-92-1913) ADOPTED AS RESOLUTION R-280183

Ernest Shaffer - General Services/Communications and  
Electrical - \$500

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-118: (R-92-1894) ADOPTED AS RESOLUTION R-280184

Authorizing the City Manager to apply for, accept, and  
expend the "Drug Abuse Resistance Education (D.A.R.E.)  
Special Purpose Grant" from the United States  
Department of Housing and Urban Development.  
(Districts-2,4, and 8.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego  
Police Department has been selected by the U. S. Department of  
Housing and Urban Development to receive a \$500,000 Special  
Purpose Grant to develop and implement an innovative augmentation  
to the Drug Abuse Resistance Education (D.A.R.E.) Program in  
low-income, public, and subsidized housing area throughout the  
City. The Police Department has proposed to implement a D.A.R.E.

Day Camp in 14 identified target sites. The Camps will be offered during summer, winter, spring, and off-track school breaks. Each camp will run for four days, serve up to 200 children ages 8-12, and provide a comprehensive anti-drug and gang curriculum, as well as wholesome recreational activities. The grant will fund two Community Service Officers to augment existing D.A.R.E. staff and volunteers. Funding has also been requested for a 36-foot motor home to serve as a mobile classroom, equipment storage, transportation, office space, and community focal point for the Day Camps. The Department also proposes to implement the D.A.R.E. Senior High School program, with Lincoln High School the first target site. The grant will fund a Police Officer and van for the component.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-119: (R-92-1759) CONTINUED TO JUNE 29, 1992

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$90,000 from CIP-68-010.0, Annual Allocation - Construct Top 10-15 Prioritized Traffic Signals to CIP-68-012.0, Annual Allocation - City Owned Street Lights in High Crime Areas; adopting the project list of locations for installation of additional lighting recommended by the Public Services and Safety Committee on January 15, 1992; authorizing the expenditure of an amount not to exceed \$140,000 from CIP-68-012.0, Annual Allocation - City Owned Street Lights in High Crime Areas, for the purpose of providing funds for the above project; authorizing the use of City Forces, for up to a maximum of \$70,000, to install the additional street lighting.

CITY MANAGER SUPPORTING INFORMATION: On January 15, 1992, the Public Services and Safety Committee considered Manager's Report CMR-91-493, along with a memo dated January 14, 1992. These documents contained a recommendation for additional street lights in certain high crime areas using an additional \$50,000 in funding. The committee requested that the list be brought forth to Council with the addition of locations in the City Heights area. The additional lights, along with higher overall costs for

mid-block lights than originally projected, has increased the cost of the additional lights to \$140,000. These funds are available from the Annual Allocation for the Construction of Traffic Signals (\$90,000). The Traffic Signal funds are available due to the deferral of the traffic signal at the intersection of Foothill Boulevard and Loring Street. This signal is being deferred due to the requests of the Community Planning Group, and will be reconsidered as necessary in the future. The remaining funds (\$50,000) needed for the street lights is available from prior year savings in the High Crime Street Light Capital Project funds. The use of City Forces rather than the use of a construction contract is recommended to reduce costs and is recommended for this project due to the large number of locations where work is required. By utilizing City Forces, the work can be scheduled along with regular maintenance activities, thus allowing the work to be completed at a lower cost than if the work was contracted out.

Aud. Cert. 9200888.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B018-060.)

MOTION BY ROBERTS TO CONTINUE ONE WEEK TO HEAR AS A COMPANION TO ITEM 150. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-120: (R-92-1971) ADOPTED AS RESOLUTION R-280185

Authorizing the expenditure of an amount not to exceed \$33,000 from CIP-17-002, Annual Allocation - Storm Drain Projects Not Yet Identified, TransNet Fund 30300, to reimburse the Sewer Fund 41506 (Rev. Account 77570) for storm drain construction in Hoffman Canyon; authorizing the expenditure of an amount not to exceed \$14,000 from CIP-17-002, Annual Allocation - Storm Drain Projects Not Yet Identified, TransNet Fund 30300, to cover the storm drain design and related costs associated with the Construction of Sewer/Landscape Restoration at Hoffman Canyon.  
(North Park East Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Engineering Design Division of the Engineering and Development Department provided the storm drain design to the Water Utilities Department for their Hoffman

Canyon Project, which consisted of replacing the existing deteriorated 12-inch storm drain with an 18-inch storm drain. Water Utilities funded and constructed the total project using their funds (approved by City Council Resolution R-277043, adopted December 10, 1990). This action will allow the Water Utilities Department to be reimbursed for the construction cost associated with the storm drain.

Aud. Cert. 9200956.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-121: (R-92-1892) ADOPTED AS RESOLUTION R-280186

Modifying the Fiscal Year 1992 Capital Improvement Program budget by adding CIP-29-774.0, Ocean Beach Park Walkway; authorizing the City Auditor to transfer the amount of \$450,000 consisting of \$300,000 from California Coastal Conservancy Fund No. 38036; \$50,441 from Proposition 70 Fund No. 38019; and \$99,559 from Proposition 70 Fund No. 38042 to CIP-29-774.0, Ocean Beach Park Walkway.  
(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: A plan for improving Ocean Beach Park between the Fishing Pier and the flood control channel was approved by the Park and Recreation Board on July 19, 1990. The plan shows a walkway on the beach from Newport Avenue to the flood control channel with landscaped areas where the walkway meets the ends of streets. The plan was prepared by a landscape architect working for the Ocean Beach Community. The City had no funds for the project. The community was anticipating future financing for part or all of the proposed improvements. A grant from the California Coastal Conservancy has been received for the walkway portion of the plan. Conservancy funds can be used for construction only so additional financing is required for the cost of professional services and for the City's cost of project administration and construction inspection. Proposition 70 funds are available for that purpose. To accomplish this project it is necessary to add it to the FY 92 CIP.  
Aud. Cert. 9200873.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-122: (R-92-1955) CONTINUED TO JUNE 29, 1992

Requesting that SANDAG reallocate TransNet funds  
previously allocated for an interchange at State Route  
52 and the Jackson Drive extension to the construction  
of a Class I bicycle path along State Route 52 between  
Santo Road and Mast Boulevard.  
(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This project was originally  
included as part of the Route 52 freeway construction between  
Santo Road and Mast Boulevard. However, the City entered into an  
agreement with the SANDAG Board of Directors to delete the Class  
I bicycle path from the freeway project in exchange for adding  
the formerly proposed Jackson Drive extension interchange to the  
freeway project. Since the Jackson Drive extension has been  
canceled, this Resolution would request SANDAG to reallocate  
funds previously allocated to the Jackson Drive interchange back  
to the bicycle path project.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B018-060.)

MOTION BY STEVENS TO CONTINUE ONE WEEK, AS REQUESTED BY THE  
CITY MANAGER, TO ALLOW FOR TIME TO PREPARE LANGUAGE. Second  
by Hartley. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-not present, Mayor  
O'Connor-yea.

\* ITEM-123: (R-92-1953) ADOPTED AS RESOLUTION R-280187

Authorizing the City Manager to enter into a Memorandum  
of Understanding with the Board of the County Water  
Authority (CWA), for the purpose of participating in  
the CWA's Public Institutions Conservation Assistance

Program; authorizing the City Manager to enter into an agreement with the Metropolitan Water District of Southern California (MWD) for receipt of funds from MWD to be used to implement the City Facilities Retrofit Program.

CITY MANAGER SUPPORTING INFORMATION: On December 11, 1990, the City Council adopted the "City of San Diego's Urban Water Management Plan and Conservation Program" (Plan). The Plan includes eight integrated and complementary water conservation program. A City Facilities Retrofit Program (Retrofit Program) is one of the eight programs. The Retrofit Program will install ultra-low flush toilets (ulft's), which use 1.6 gallons of water or less per flush, in City-owned buildings and facilities to demonstrate the City's support and commitment to water conservation. On October 18, 1991, the Water Utilities Department sought funding from the CWA for the Retrofit Program. On April 9, 1992, the Board of the San Diego County Water Authority (CWA) authorized the implementation of the Public Institutions Conservation Assistance Program. A proposal submitted by the CWA for matching funds for this program was approved by the Metropolitan Water District of Southern California (MWD) in April, 1992. Funds from the CWA and the MWD will pay for the more than 800 toilets that will be replaced with ulft's in City-owned facilities and buildings during the first year of this conservation program. The Retrofit Program will be jointly implemented by the Water Utilities Department, Water Conservation Program, and the General Services Department, Buildings Division. City Forces will install the ulft's. Approval to accept funding from the CWA by participating in the Public Institutions Conservation Assistance Program is being sought through this action.

WU-U-92-143.

FILE LOCATION: WATER-County Water Authortiy (CWA) CONT  
FY92-2

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.



\* ITEM-124: (R-92-2008) ADOPTED AS RESOLUTION R-280188

Authorizing the City Manager to prepare, execute and transmit to Video Services, Inc., (Lessee), a 30-month Notice to Vacate, as required by Section 1.03 of the lease; declaring that a 30-month Notice to Vacate shall be delivered to Video Services, Inc., no later than June 30, 1992, to vacate the communication facilities on Cowles Mountain no later than December 31, 1994. (Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Cox Cable (Cox) presently leases the communications facility on Cowles Mountain, which is jointly owned by the County and City of San Diego and located in the Mission Trails Regional Park. From this location, Cox, under the current agreement, has maintained and operated a cable television distribution system since 1984. Cox, on May 14, 1990, provided notice that it does not plan to renew its lease which expires December 31, 1994. The lease agreement specifies that: Should Lessor determine that Lessee is, at the expiration of this lease or thereafter, to vacate the premises, Lessor shall be required to give Lessee a written 30 month notice to vacate. Said notice to vacate shall be approved by substantially identical resolutions of both the City Council and Board of Supervisors... Therefore it is recommended that the City Manager be authorized to prepare, execute and forward the 30-month Notice to Vacate to the lessee.

FILE LOCATION: LEAS-Video Services, Inc. LEAS FY92-1

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-125: (R-92-1799 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-280189

Authorizing the execution of a renewal of the Memorandum of Understanding between the County of San Diego, Metropolitan Transit Development Board, San Diego Association of Governments, San Diego Unified Port District, San Diego Unified School District and CalTrans, for the continued coordination of the

certification process required under the City's  
Minority and Women Business Enterprise Program.  
(See City Manager Report CMR-90-541.)

CITY MANAGER SUPPORTING INFORMATION: Adoption of this resolution will renew the existing Memorandum of Understanding between the City of San Diego, County of San Diego, Metropolitan Transit Development Board (MTDB), San Diego Association of Governments (SANDAG), the San Diego Unified Port District, and San Diego Unified School District and CalTrans for two additional years beginning February 27, 1992 through February 26, 1994. On January 9, 1991 the City Council adopted Resolutions R-277161 and R-277162 authorizing the City Manager to execute, for and on behalf of the City, Memorandum of Understanding between the County of San Diego, Metropolitan Transit Development Board (MTDB), San Diego Association of Governments (SANDAG), San Diego Unified Port District and CalTrans, for the coordination of the certification process required under the City's Minority and Women Business Enterprise Program. San Diego Unified School District has been added as a signatory to the Memorandum of Understanding.

FILE LOCATION: MEET CONT FY92-6

COUNCIL ACTION: (Tape location: B065-073.)

MOTION BY STEVENS TO ADOPT AS AMENDED, AS RECOMMENDED BY THE CITY MANAGER, DIRECTING STAFF TO INCLUDE A PROVISION THAT THIS AGREEMENT COULD BE CANCELLED IN 30 DAY'S NOTICE IF A MUTUAL AGREEMENT CANNOT BE REACHED AS TO WHAT IS THE PROPER DEFINITION OF A MINORITY-OWNED WOMEN'S BUSINESS ENTERPRISE. Second by Roberts. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-126: (R-92-1880) ADOPTED AS RESOLUTION R-280190

Authorizing the execution of an agreement with Gaslamp Quarter Foundation to develop and implement an Historic Identification and Audio Walking Tour Program; authorizing the expenditure of an amount not to exceed \$70,000, for the purpose of providing funds for this project.  
(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: In 1989 the Redevelopment Agency approved the establishment of a Rubber Tire Trolley

Program for the Gaslamp Quarter utilizing \$312,000 from unexpended Gaslamp Public Improvement Funds, and designated MTDB the contracting agency. On August 26, 1991, the MTDB General Manager recommended that the program be terminated due to problems in disabled accessibility, ridership and farebox recovery rates. The City Manager concurred on September 13, and the MTDB Board on October 24 approved the termination effective December 31, 1991. An amount of \$75,500 remains in the project fund. The Gaslamp Quarter Foundation, Merchants Association and Planning Board request that an amount of \$70,000 be redirected to the proposed Gaslamp Quarter Historic Identification and Audio Walking Tour Program.

The Program has two complementary components: 1) the forging and installation of bronze plaques to identify 93 Gaslamp Quarter and Chinese Buildings which have been designated by the City's Historic Site Board and are contributing structures to the National Register Designation; and 2) the development of an enhanced guide to those buildings through a taped audio walking tour with application to educational, cultural and tourism programs. The plaque portion would be \$37,954 and the tape/equipment part would be \$32,046. The Gaslamp Quarter Foundation will serve as the contractor.

Aud. Cert. 9200915.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: B074-119.)

MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-nay, Filner-not present, Mayor O'Connor-yea.

\* ITEM-127: (R-92-1969) ADOPTED AS RESOLUTION R-280191

Authorizing the execution of a five-year Use and Occupancy Permit with the U.S. Department of Commerce, National Weather Service Western Region, for the use of approximately 8 square feet of the City's vault and antennae site at Mount Woodson for communications purposes, at an initial annual rental of \$1,350.

CITY MANAGER SUPPORTING INFORMATION: In 1984 the City Council authorized a five-year permit with the United States Department of Commerce (National Weather Service) for its continued use of approximately 8 square feet of the City's vault and antennae site

at Mount Woodson. The National Weather Service has maintained equipment at the site since 1972, providing continuous weather information which is broadcast to the public. The weather messages include atmospheric conditions for boating, fishing, and other marine activities as well as general weather information. The National Weather service currently pays \$250 annually in rent under the existing permit, which expired August 31, 1988 and is presently extended on a month-to-month holdover basis. The National Weather Service wishes to renew the agreement for another five years. Terms and conditions of the permit are basically the same as in the existing agreement except:

1. Either party may terminate the agreement upon providing 90 days written notice.
2. Rent is subject to a 5 percent annual increase.
3. Annual rent has been increased to \$1,350.

FILE LOCATION: LEAS-U.S. Department of Commerce, national  
Weather Service Western Region LEAS FY92-1

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-150: CONTINUED TO JUNE 29, 1992

(Continued from the meetings of April 27, 1992, Item 152, and June 1, 1992, Item 154; last continued at Councilmember Roberts' request, for further review of the final plan, including costs and any necessary refinements, and consideration of phasing these improvements over a period of time.)

In the matter of Street Light Conversion (Low Pressure Sodium/High Pressure Sodium).  
(See City Manager Reports CMR-92-130, CMR-92-90 and CMR-91-493.)

COMMITTEE ACTION: Reviewed by PSS on 3/18/92. Recommendation to: 1) Refer the issue to City Council to consider use of HPS lights and ask the City Manager to recommend solutions which address: a) Cost, b) methods of installing white lights, c) high crime areas and d) prioritization of areas of the City; 2) Give the observatory an opportunity to present to Council at the same time a plan that would increase security, safety, and

lighting, but would not affect astronomical research, and could be implemented at a reasonable cost.

Districts 1, 2, 3, 4 and 8 voted yea.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A262-350; A412-518;  
B145-160.)

Motion by McCarty to continue one week at the request of Council Member Filner for his participation. Second by Stallings. Failed. Yeas: 1,6,7,M. Nays: 2,3,4,5. Not present: 8.

MOTION BY HARTLEY TO CONTINUE ONE WEEK FOR COUNCIL MEMBER FILNER'S PARTICIPATION. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-200: (R-92-2648) TRAILED TO JUNE 23, 1992

Reaffirming the City Council's previous approval of proposals to prevent further hostile takeover attempts of San Diego Gas and Electric (SDG&E), and to provide the public greater access to, and influence on their local utility, as follows:

1. That the Council reaffirms its previous approval of the proposals enumerated in Resolution R-277968.
2. That a ballot proposition should be prepared for the November 1992 election, strengthening the City's existing franchise agreements with San Diego Gas & Electric Company by clarifying the City Council's right to veto any future merger or sale, and authorizing City Council approval of any substantial changes in the SDG&E corporate structure.
3. That new directors should be appointed to the SDG&E Board of Directors, to increase the diversity of the Board and to include the appointment of a voting public member.
4. That the City of San Diego should receive reimbursement of the \$6.3 million expended in opposition to the proposed merger.
5. That SDG&E should cooperate with the City Public Utilities Advisory Commission which is providing long-term planning and oversight; monitoring utility rates; and advising the Mayor and Council on a

long-term strategy to guarantee a permanent, energy-independent San Diego.

6. That the City Attorney is requested to continue communicating these concepts to SDG&E and take such action as is necessary to continue negotiations on these proposals.

7. That Mr. Morris Sievert and Mr. Red Scott be appointed as the Mayor's personal emissaries to the SDG&E Board of Directors.

SUPPORTING INFORMATION: On May 21, 1991, the City Council adopted Resolution R-277968, which conceptually approved the following proposals to prevent further hostile takeover attempts of San Diego Gas & Electric, and to provide the public greater access to, and influence on their local utility:

- A ballot proposition for the November 1992 election, strengthening the City's existing franchise agreements with SDG&E by clarifying the City Council's right to veto any future merger or sale, and authorizing City Council approval of any substantial changes in the SDG&E corporate structure.
- New directors should be appointed to the SDG&E Board of Directors, to increase the diversity of the Board and to include the appointment of a voting public member.
- The City of San Diego should receive reimbursement of the \$6.3 million expended in opposition to the proposed merger.
- SDG&E should agree to the creation of a City Utilities Commission to provide long-term planning and oversight responsibilities; to monitor utility rates; and to advise the Mayor and the Council on a long-term strategy to guarantee a permanent, energy-independent San Diego.
- That the City Attorney be and he is hereby requested to communicate these concepts to SDG&E and take such action as is necessary to commence negotiations on these proposals as soon as possible under the circumstances with a view toward conclusion by July 31, 1991.
- That Mr. Morris Sievert and Mr. Red Scott be appointed as the Mayor's personal emissaries to the SDG&E Board of Directors, because from the beginning, these two men defended the best interest of the shareholders and the ratepayers, and that the City Council gives its greatest thanks to all those in the community that assisted in this endeavor and that they be recognized for their different style of leadership and production of such an amazing result.

It is appropriate that the City Council should now reaffirm its position to complete these proposals.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A195-234.)

MOTION BY STALLINGS TO TRAIL ITEM 200 AS REQUESTED BY MAYOR O'CONNOR. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-201:

Three actions relative to the Montgomery Field Airport Extension:

(See City Manager Report CMR-92-201. Serra Mesa Community Area. District-6.)

Subitem-A: (R-92-2002 Rev.1) ADOPTED AS RESOLUTION  
R-280192

Authorizing the execution of an agreement with P & D Technologies, for the engineering design and construction administration of the extension of Runway 10L-28R at Montgomery Field Airport; authorizing the expenditure of an amount not to exceed \$300,240 in federal grant funds from CIP-31-141.0, Montgomery Field - Runway Extension, to provide funds for the project, and an amount not to exceed \$33,360, to supplement funds authorized by Resolution R-276609, as local matching funds.

Subitem-B: (R-92-2003) ADOPTED AS RESOLUTION R-280193

Approving in concept the following six point Airport Improvement Program to include the Noise Enforcement Program and Airport Noise Abatement and Pilot Education Program:

1. An improved and proactive noise abatement program.
2. An improved noise abatement enforcement mechanism.
3. Implementation of the approved Runway 28 extension.
4. Correction and clarification of certain inconsistencies in the Airport Master Plan.
5. Aesthetic and public access improvements.
6. Enhanced community participation in airport affairs.

Subitem-C: (R-92-2009) ADOPTED AS RESOLUTION R-280194

1. Clarifying the 1984 Montgomery Field Airport Master Plan.
2. Declaring that the weight bearing capacity of all runways at Montgomery Field is 12,000 pounds for aircraft with single wheel landing gear configurations in accordance with F.A.A. Pavement Strength Survey dated March 9, 1981.
3. Declaring that the use of Montgomery Field Airport is restricted to only those aircraft which have a maximum certificated gross takeoff weight of 20,000 pounds or less.
4. Declaring that the extended portion of the runway be designed, marked, and used as a displaced threshold which will provide an additional 1,200 feet of runway to be used for takeoff on Runway 28 Right but will limit the runway length available for landing to the existing 3,400 feet.
5. Declaring that the length of runway available for takeoff on Runway 10 Left be limited to the existing 3,400 feet.
6. Declaring that Montgomery Field will not be developed to accommodate the full range of general aviation aircraft but will provide facilities for only those aircraft which can comply with the established airport noise and weight limitations.
7. Declaring that any aircraft based at Montgomery Field be able to demonstrate compliance with the established airport noise limits.
8. Declaring that the City of San Diego will not pursue a development strategy or seek F.A.A. certification for Montgomery Field to function as a base for scheduled commuter or air carrier operations.

FILE LOCATION: MEET CONT FY92-1; CCONT FY92-1

COUNCIL ACTION: (Tape location: B165-D514.)

MOTION BY STALLINGS TO ADOPT THE MANAGER'S THREE-PART RECOMMENDATION AND TO ESTABLISH A MONTGOMERY FIELD IMPROVEMENT PLAN CITIZENS' OVERSIGHT COMMITTEE CONSISTING OF THE FOLLOWING: ONE REPRESENTATIVE FROM EACH COMMUNITY GROUP AND PLANNING GROUP EFFECTED BY MONTGOMERY FIELD. THOSE WILL BE CLAIREMONT MESA, KEARNY MESA, SERRA MESA, THE NAVAJO PLANNERS, TIERRASANTA, AND SERRA MESA COMMUNITY COUNCIL. ONE REPRESENTATIVE FROM THE AVIATION ASSOCIATION, AND ONE REPRESENTATIVE FROM RESIDENTS AGAINST AIRPORT NOISE (R.A.A.N.) THE COMMITTEE IS TO CONVENE ITS FIRST MEETING WITHIN 30 DAYS. THE MANAGER'S RECOMMENDATIONS ARE APPROVED



AS IN THE REPORT (NO. 92-201) AS FOLLOWS: (1) APPROVE THE SIX-POINT AIRPORT IMPROVEMENT PROGRAM. (2) ADOPT A RESOLUTION CLARIFYING THE INCONSISTENCIES IN THE AIRPORT MASTER PLAN. (3) AUTHORIZE AN AGREEMENT WITH P&D TECHNOLOGIES TO DESIGN THE EXTENSION OF RUNWAY 28R IN ACCORDANCE WITH THE AIRPORT MASTER PLAN, ADOPTED JULY 10, 1984. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-92-2011 Rev.1) ADOPTED AS RESOLUTION R-280195

Actions concerning the widening and enhancement of bridges across State Route 15 in City Heights:

1. Approving the bridge enhancements found in Design Alternative C of City Manager Report CMR-92-198;
2. Directing the City Manager to discuss potential uses for the University Avenue deck and bridge enhancements with the City Heights community and report back to the City Council with the results of those discussions by August 4, 1992;
3. Approving the cul-de-sacs on 40th Street, Central Avenue and Terrace Drive as shown in Attachment 1 of City Manager Report CMR-92-198.

(See City Manager Report CMR-92-198. Mid-City Community Area. District 3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D515-E167.)

MOTION BY HARTLEY TO ADOPT AS AMENDED SUPPORTING STAFF'S FOUR RECOMMENDATIONS, INCLUDING OPTION C WITH ALTERNATIVE 1 (ADDITIONAL 50 FEET ON EL CAJON AND UNIVERSITY) AS NOTED ON PAGE 5 OF THE MANAGER'S REPORT. ADD THE FOLLOWING TO THE RESOLUITON: 1) COMMIT UP TO \$2.5 MILLION IN REDEVELOPMENT FUNDS TO PROVIDE FOR THE ADDITIONAL BRIDGE WIDENINGS AND IMPROVEMENTS TO ADAMS AVENUE. 2) REQUEST CALTRANS STAFF TO SEEK CALIFORNIA TRANSPORTATION COMMISSION APPROVAL TO PROVIDE THE \$1 MILLION LOCAL MATCH FOR THE \$5 MILLION I.S.T.E.A. DEMONSTRATION GRANT. 3) COMMIT TO THE CONSTRUCTION OF A BICYCLE PATH IN THE SR-15 CORRIDOR TO CAMINO DEL RIO SOUTH. 4) ADD WIGHTMAN STREET TO THE LIST FOR UNDERGROUNDING OF AERIAL UTILITIES. 5) COMMIT TO PLACEMENT OF "CITY HEIGHTS BUSINESS DISTRICT" FREEWAY SIGNS AS PROVIDED FOR IN SECTION 100.9 OF THE STREET AND BUSINESS

CODE, PAGE 59 OF THE DEPARTMENT OF TRANSPORTATION STATE BUSINESS CODE. 6) COMMIT THAT THE LANDIS STREET AND OTHER PEDESTRIAN BRIDGES (MONROE) WILL BE WHEELCHAIR ACCESSIBLE. 7) REAFFIRM THE STATE WILL SIGN AND DIRECT TRUCK TRAFFIC TO I-805 AS AN ALTERNATIVE TO ROUTE 15 THROUGH MID-CITY DURING THE CONSTRUCTION PROCESS. 8) AUTHORIZE THE ESTABLISHMENT OF A CITY/CALTRANS/COMMUNITY I-15 CONSTRUCTION OVERSIGHT COMMITTEE TO MEET BIMONTHLY AND MONITOR CONCERNS ASSOCIATED WITH THE CONSTRUCTION OF THE FREEWAY. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-203: (R-92-1709) TRAILED TO JUNE 23, 1992

Approving in concept the issuance of up to \$400 million of refunding industrial development bonds (IDBs) for San Diego Gas & Electric Company (SDG&E); authorizing the City Manager to return to the City Council with the Ordinance authorizing the issuance of the bonds for consideration at the June 29 and July 13, 1992, Council meetings.

(See City Manager Report CMR-92-194.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A195-261; A350-412.)

Motion by Stallings to trail the item to June 23, 1992 as requested by Mayor O'Connor. Second by Stevens. Failed. Yeas: 3,4,6. Nays: 1,2,5,7. Not present: 8,M.

MOTION BY STALLINGS TO TRAIL ITEM 203 TO JUNE 23, 1992, AS REQUESTED BY MAYOR O'CONNOR. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-204: (R-92-2013) TRAILED TO JUNE 23, 1992, DUE TO LACK OF FIVE AFFIRMATIVE VOTES

Amending Council Policy 900-3 regarding City-Owned Industrial Property.

(See City Manager Report CMR-92-195.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: E171-F091.)

Motion by McCarty to approve the Manager's recommended policy. Accept Council Member Roberts' amendment to the motion to involve the Economic Development Subcommittee early on in the review of the negotiations. Failed. Yeas: 2,4,6,7. Nays: 1,5,M. Not present: 3,8.

Motion by Behr to amend the language of the Council Policy on Page 4 under Number 1 to read: "...sales shall be made preferrably at the full market value." No second.

Referred to the City Attorney comments by Behr regarding sales below fair market value. City Attorney is to provide an opinion and return to the Economic Committee.

\* ITEM-S400: (R-92-2059) ADOPTED AS RESOLUTION R-280196

Designating Sunday, June 28, 1992 as "KCBQ Great Reunion Day" in San Diego; wishing KCBQ AM/FM the best while promoting the 1992 Great Reunion and thanking them for providing San Diego with the opportunity to relive one of our country's most popular and fun filled eras.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-S401: (R-92-2635) READOPTED AS RESOLUTION R-280197

Rejecting all bids received on May 7, 1992 and re-advertising for bids for the Construction of Sewer Pump Station No. 17 Renovation on Work Order No. 171751; authorizing the execution of a contract with the lowest responsible bidder. (BID-K3085/92A) (Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Sewer Pump Station (SPS) No. 17 project was advertised on April 9, 1992, and the bid opening for the project was on May 7, 1992. Four bids were

received. However, due to a provision in the specifications which caused a legal concern, the City Manager recommends rejecting all bids and re-advertising. Prior to readvertising, an addendum will be issued to the specifications to omit the provision in question.

Aud. Cert. 9200749.

WU-P-92-157.

FILE LOCATION: CONT - The Industrial Company W.O. 171751

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-S402: (R-92-2066) ADOPTED AS RESOLUTION R-280198

Authorizing the City Manager to enter into a letter of agreement with the San Diego Unified School District to provide transportation of students to School Safety Patrol Summer Camp at Palomar County School Camp; authorizing the expenditure of an amount estimated at \$98,000 from the Federally Seized and Forfeited Assets Fund, for the purpose of providing funds for the School Safety Patrol Camp.

CITY MANAGER SUPPORTING INFORMATION: For over 30 years, the City of San Diego has conducted, through the Police Department, a School Safety Patrol Summer Camp. Attendees are fifth and sixth grade students who have served a minimum of at least one year as school patrol crossing guards. This camp is held in recognition of the contributions made by these children, and provides an educational and recreational experience for them. This summer, approximately 900 students and 100 student counselors are expected to participate. This action provides for entering into an agreement with the San Diego Unified School District for transporting the students to and from camp. In the past, the school district has provided the buses, the drivers and insurance. The City of San Diego is responsible for the conduct of the students while on the buses, and agrees to share equally in liability in excess of the school district's insurance policy. This action further provides for paying expenses associated with conducting the School Safety Patrol Summer Camp, such as payment

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to San Diego County Schools, Office of Outdoor Education, for the use of the facilities at Palomar Mountain School Camp.

Aud. Cert. 9200946.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S403: (R-92-2072) ADOPTED AS RESOLUTION R-280199

Urging the County of San Diego to make every effort to  
open the East Mesa Detention Facility as quickly as  
possible.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B023-140.)

MOTION BY ROBERTS TO ADOPT. Second by Stevens. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S404: (R-92-2084) TRAILED TO JUNE 23, 1992

Authorizing the sale of Tax Anticipation Notes (TANS)  
for Fiscal Year 1992-1993 in an amount not to exceed  
\$150,000,000.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A262-276.)

MOTION BY HARTLEY TO TRIAL THE ITEM TO JUNE 23, 1992, AS  
REQUESTED BY THE CITY MANAGER, TO RESOLVE ADDITIONAL ISSUES  
BEFORE COUNCIL CONSIDERATION. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-not present.

\* ITEM-S405: (R-92-2087) ADOPTED AS RESOLUTION R-280200

Expressing great appreciation to KPBS and  
congratulating it for 25 years of dedicated service.  
(Docketed at the request of Councilmember Wolfsheimer.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-060.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S406: (R-92-2088 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-280201

Adoption of a Resolution requested by the City Council  
at the Special Council meeting on June 12, 1992 with  
the State legislative delegation supporting a two-year  
budgeting process as follows:  
(See Legislative Services Report DLS-92-24.)

1. Calling upon the Governor and the State Legislature to explore all reasonable alternatives to resolve the budget dilemma with strategies which will provide long-term solutions rather than devastation to either public schools or local government.
2. Alternatives can include a multi-year extension of the loan to K-14 Education to permit other legislative action to streamline and downsize the State's operations time to generate additional revenue, extension of the half-cent sales tax due to expire in July 1993, and modification of State Income Tax to conform to Federal income tax.
3. Expressing support for the development of two-year budgeting strategies for all levels of government including the State as a responsible way to provide long-term planning and continuity to government and to protect citizens from dramatic fluctuations in services and programs.
4. Calling upon the Governor and the State Legislature to defeat any budget proposal which would balance the State budget by taking away from City revenue.
5. Resolving to pursue all legal recourse to pursue the City of San Diego's lawful claim to any property

tax and Vehicle License Fee revenue taken by the State  
of California.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F096-502.)

MOTION BY BEHR TO APPROVE THE RESOLUTION WITH CHANGES THAT HAVE BEEN DISTRIBUTED. ACCEPT MAYOR O'CONNOR'S DIRECTION TO THE CITY ATTORNEY TO HAVE THEIR LEGAL DOCUMENTS PREPARED SO THAT THEY CAN BE FILED THE NEXT DAY. ALSO DIRECT THE COUNTY WATER REPRESENTATIVES TO DIRECT THEIR ATTORNEYS TO PREPARE LEGAL DOCUMENTS ON THE DAY THE BUDGET IS PASSED. Second by McCarty. Passed by the following vote: Wolfsheimer-yea (nay on any provisions that indicate that the city should pursue legal recourse to prevent the taking of our property tax, vehicle license fees, and sales tax), Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Motion by Stevens to direct the City Attorney to review the possibility of using a portion of the sales tax reimbursement for a police trust fund. The City Attorney is to report back in one week with a plan of going to court. Passed. Yeas: 1,3,4,5,6,7,M. Nays: none. Not present: 2,8.

ADDITIONAL BUSINESS: (R-93-12) ADOPTED AS RESOLUTION R-280209

During consideration of the above regular business item, the following resolution was adopted.

In connection with Item S406, Council adopted a resolution supporting Assembly Speaker Willie Brown's concept of amending State Legislation whereby Port Commissioners will be appointed elected officials from the City.

FILE LOCATION: MEET

COUNCIL ACTION: Tape location: F460-502.)

MOTION BY BEHR TO APPROVE IN CONCEPT OF HAVING PORT COMMISSIONERS BE APPOINTED ELECTED OFFICIALS FROM THE CITY. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO THE CITY ATTORNEY

Comments by Council Member Behr regarding racial bias being protected under the Freedom of Speech Amendment as related to the Supreme Court Decision recently rendered. Direct the City Attorney to provide an opinion in a report as to whether this decision impacts any existing laws such as hate crimes and graffiti.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A183-192.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:19 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F502-510).